

ARTICLE 7

SECTION 3

ALIENS

1. ALIEN CATEGORIES

For Medi-Cal purposes, aliens are divided into four categories.

A. OBRA Aliens

The Omnibus Budget Reconciliation Act of 1986 (OBRA'86) created a new category of aliens for Medi-Cal purposes. OBRA aliens who are otherwise eligible may be granted restricted benefits. OBRA aliens include:

- 1) Undocumented aliens;
- 2) IRCA applicants (those with CIS Forms I-688A or I-689);
- 3) Nonimmigrant temporary visa holders; (Refer to 7-2-11 for residency requirements);  
and
- 4) Aliens with inadequate documentation, such as the following CIS forms:
  - a) Form I-94 indicates the alien was lawfully admitted to the U.S. for temporary residence in accordance with Section 101 (a) (15) (A) through (L) of the INA;
  - b) Form I-181-A indicates that the alien's request for an adjustment to permanent status has been received (not approved as with Form I-181-B);
  - c) Form I-94 indicates that a request for residence has been received by CIS. The notations: "ASYLUM APPLICANT" or "I-589 APPLICANT" will be made on Form I-94.

OBRA aliens are not eligible for state-only Total Parenteral Nutrition (TPN) services.

B. IRCA Aliens

The Immigration Reform and Control Act of 1986 (IRCA'86) created a second new category of aliens for Medi-Cal purposes. Under IRCA, certain aliens may be granted legal temporary residence. IRCA aliens include:

1) Amnesty Aliens

Aliens who have resided in the United States illegally since before January 1, 1982.

2) Special Agricultural Workers (SAWS)

Alien Agricultural Workers who resided in the United States and worked in perishable crop agriculture for at least 90 days during specified time periods.

3) Replenishment Agricultural Workers (RAWS)

From October 1, 1989 to September 30, 1994, the Secretaries of Agriculture and Labor may determine there is a shortage of Domestic Agricultural Workers. If so, they can permit the importation of new alien farm workers known as Replenishment Agricultural Workers.

4) Family Unity Provisions

Section 301 of the INA, effective October 1, 1991, provides that the spouses and unmarried children of an alien legalized under the Immigration Reform and Control Act (IRCA) are "eligible immigrants" and, pursuant to Section 301, may be granted a stay of deportation pending adjustment of immigration status. These "eligible immigrants" serve the exact same period of disqualification as the legalized alien. Only family members of those aliens who have been granted lawful temporary resident (LTR) or lawful permanent resident (LPR) status under IRCA may receive benefits under the family unity provisions. **Eligible immigrant family members have the same status as the legalized alien and are eligible to the same level of benefits.**

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The primary documentation used as verification of alien immigration status is either the form I-94 showing "voluntary departure" status or the I-551. Either form will be coded with family unity immigration codes: **LB1, LB2, or LB6, LB7.**

5) Level of Benefits

If otherwise eligible, IRCA aliens and their immigrant family members are to be granted either restricted or full-scope benefits.

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a) Full-Scope Benefits

Full-Scope benefits are to be granted for otherwise eligible IRCA aliens who are any of the following:

- (1) Under 18 or over 64 years of age;
- (2) Blind; or
- (3) Disabled.

b) Restricted Benefits

- (1) Restricted benefits (emergency and pregnancy-related services) are to be granted for otherwise eligible IRCA aliens between the ages of 18 and 64 who are not blind or disabled.

c) Limited Services

- (1) IRCA and OBRA children under 21 years of age are eligible to all minor consent services.
- (2) IRCA aliens who are aged, blind, disabled or under 18 are entitled to state only Total Parenteral Nutrition (TPN) services.

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6) Documentation

IRCA aliens can be identified by the following types of CIS documentation:

a) Form I-688

Form I-688 is issued to IRCA aliens who have been granted legal temporary residence. The Section of the Immigration and Nationality Act (INA) under which the alien has been legalized is annotated on the card and identifies the alien as a specific type of IRCA alien. IRCA INA Sections include:

- (1) INA Section 245A - Pre-1982 Amnesty alien;
- (2) INA Section 210 - Special Agricultural Worker (SAW);

(3) INA Section 210A - Replenishment Agricultural Worker (RAW).

b) Form I-551

After 18 months of legal temporary residence, IRCA aliens may apply for legal permanent residence. IRCA aliens granted legal permanent residence are issued CIS Form I-551 with annotations that identify the alien as a Pre-1982 Amnesty, SAW or RAW IRCA alien. Unlike other legal permanent residents who provide Form I-551, IRCA aliens may receive full-scope benefits only if they are under 18 years of age or ABD.

I-551 form issued to IRCA aliens will have an A-number in the 90,000,000 series and include one of the following classifications annotated on the front of the form:

- (1) W16, W26, or W36 - Pre-1982 Amnesty alien;
- (2) S16 or S26 - Special Agricultural Worker (SAW);
- (3) R16 - Replenishment Agricultural Worker (RAW).

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7) Loss of IRCA Alien Status

a) Reasons for Loss of IRCA Status

IRCA aliens may lose their status as amnesty aliens and revert to undocumented alien status if:

- (1) They are convicted of a felony or three or more misdemeanors; or
- (2) CIS has established that they obtained their legal temporary resident or legal permanent resident status by making false statements or submitting fraudulent documents; or
- (3) They are denied adjustment to legal permanent resident status for medical reasons, such as testing positive to a human immunodeficiency virus (HIV) test, or for not meeting some other qualifying conditions; or
- (4) They do not apply for legal permanent resident status by the end of the 31st month after the legalization date recorded on the front of their I-688 form.

b) Reduction of Medi-Cal Benefits

Aliens who lose their IRCA alien status are no longer eligible for full-scope benefits even if they are under 18 or ABD. Former IRCA aliens receiving full-scope benefits must have their benefits reduced from full scope to restricted with timely notice when:

- (1) They report the loss of amnesty (IRCA) status;
- (2) The SAVE response does not verify IRCA status; or
- (3) The worker becomes aware of the alien's loss of IRCA status through other means.

C. Legal Permanent Residents

Aliens who have been lawfully admitted into the U.S. on a permanent basis or for an indefinite period of time are included in this category. These aliens are entitled to full-scope benefits if otherwise eligible. They are not eligible to restricted benefits. Legal permanent resident status may be verified by any of the following types of CIS documentation:

1) Form I-551

Form I-551 (with non-IRCA annotations) or earlier Forms I-151, AR-3, and AR-3a, Alien Registration Receipt Card, indicates that the alien has been lawfully admitted to the United States for permanent residence as an immigrant in accordance with Section 101 (a) (15) and 101 (a) (20) of the Immigration and Nationality Act (INA), or considered to be lawfully admitted to the United States for permanent residence as a result of an exercise of discretion by the Attorney General in accordance with Section 249 of the INA.

2) Foreign Stamped Passport

A foreign passport stamped: "PROCESSED FOR I-551. TEMPORARY EVIDENCE OF LAWFULLY ADMISSION FOR PERMANENT RESIDENCE VALID UNTIL \_\_\_\_\_. EMPLOYMENT AUTHORIZED."

This stamp is valid until the alien receives Form I-551. Presentation of a valid I-551 serves as proof of permanent resident status. A temporary stamp on a passport does not rule out the possibility that CIS may have revoked the alien's permanent status after stamping the passport. The worker will ask the alien if Form I-551 has been received when any of the following has occurred:

- a) The alien provides a stamped passport with an expired date; or
- b) The alien provides a stamped passport where no date was entered in the "valid until" blank; or
- c) The alien provides a stamped passport that indicates more than a year has passed since the date of entry into the United States.

If the alien provides a stamped passport that indicates one of the situations listed above and has not received or is unable to provide Form I-551, the worker must

refer the alien to CIS to obtain Form I-551 or other documentation of permanent resident status. Full-scope benefits may be granted if eligibility is determined within 30 days (see 5.A. below).

3) Form I-94: Arrival-Departure Record (Processed for I-551)

While processing an alien's record prior to the issuance of Form I-551, CIS may stamp the alien's foreign passport or issue Form I-94 stamped: "TEMPORARY FORM I-551, ADMISSION FOR PERMANENT RESIDENCE AT (PORT)\_\_\_\_\_ (DATE)\_\_\_\_\_(OFFICE OF ISSUANCE)\_\_\_\_\_ (DATE)\_\_\_\_\_ (SIGNATURE OF ISSUING OFFICIAL (TITLE))."

This stamp is valid until the alien receives Form I-551. If the alien provides a stamped passport or Form I-94 with an expired date, or more than a year has passed since the date of entry to the United States, the worker will ask the alien if Form I-551 has been received. If the alien has not received or is unable to provide Form I-551, the worker must refer the alien to CIS to obtain Form I-551 or other documentation of permanent resident status. Full-scope benefits may be granted if eligibility is determined within 30 days (see 5.A. below).

4) Form I-327 Re-Entry Permit (Permit to re-enter the U.S.)

Issued to aliens lawfully admitted for permanent residence. CIS should issue the I-551 within a year after issuing the I-181a.

5) Form I-551 with an Expiration Date on the Back

Lawful admission for permanent residence (LAPR) accorded to "conditional resident aliens" based on a qualifying marriage to a U.S. Citizen (or national of the U.S.) or a lawfully admitted permanent resident alien. Children of such persons may also have this status. CIS rules favorably or unfavorably on whether to continue LAPR status two years after issuing the I-551.

D. Legal Permanent Residents With Lost Or Expired Documentation

Aliens who claim legal permanent resident status and who have lost or expired documentation are not to be considered undocumented. Workers will follow primary and secondary Systematic Alien Verification for Entitlement (SAVE) procedures. Aliens who have lost their documentation will be given 30 days to provide a receipt for replacement documentation. CIS requests that holders of expired cards be urged to contact the nearest CIS office to apply for a new card.

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E. Battered Aliens

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1) Battered Alien Eligibility Criteria

Some aliens who are battered or subjected to extreme cruelty will be considered

Qualified aliens and entitled to full scope Medi-Cal benefits under federal law if they meet each of the following four requirements.

a) Requirement #1

**The applicant/beneficiary has been approved or has a petition pending under one of the following provisions of the INA.** Verification may include:

Provision	Verification
INA Section 204(a)(1)(A)(i) or INA Section 204(a)(1)(B)(i)	Form I-551 with one of the following CIS class of admission (COA) codes: <ul style="list-style-type: none"> <li>• AR1, AR6;</li> <li>• C20 through C29, CF1, CF2, CR1, CR2, CR6, CR7, CX1 through CX3, CX6 through CX8;</li> <li>• F20 through F29, FX1, FX2, FX3, FX6, FX7, FX8;</li> <li>• IF1, IF2, IR1 through IR4, IR6 through IR9, IW1, IW2, IW6, IW7;</li> <li>• MR6, MR7;</li> <li>• P21 through P23, P26 through P28; or</li> <li>• CIS Notice of Prima Facie Case (see note below).</li> </ul> If it is difficult to determine the class of admission from the I-551 stamp, Institute secondary verification via CIS form G 845 and the MC 845 along with a copy of the document presented.
INA Section 204(a)(1)(A)(ii)	Form I-551 with one of the following COA codes: <ul style="list-style-type: none"> <li>• IB1-IB3, IB6-IB8;</li> <li>• B11, B12, B16, B17, B20 through B29, B31-B33, B36-B38, BX1-BX3, BX6-BX8;</li> <li>or</li> <li>• CIS Notice of Prima Facie Case (see note below).</li> </ul>
INA Section 204(a)(1)(A)(iii), INA A Section 204(a)(1)(B)(ii), INA Section 200(a)(1)(A)(iv), INA Section 204(a)(1)(B)(iii)	<ul style="list-style-type: none"> <li>➤ Form I-797 indicating approval of an I-130 petition describing the following relationships: <ul style="list-style-type: none"> <li>• Husbands or wives of US citizens or LPRs;</li> <li>• Unmarried children under 21 years old of US citizens or LPRs;</li> <li>• Unmarried children 21 years or older of LPRs; or</li> </ul> </li> <li>➤ Approval of an I-360 petition based on status as a widow/widower of a US citizen or as a self-petitioning spouse or child of an abusive US citizen or LPR.</li> <li>➤ CIS Notice of Prima Facie Case (see note below).</li> </ul>
INA Section 244(a)(3), INA Section 204A(b)(2)	<ul style="list-style-type: none"> <li>➤ Form I-551 with a COA code Z13 <b>may</b> demonstrate approval of petition. If this documentation is presented, initiate secondary verification through SAVE; or</li> <li>➤ A final order of an Immigration Judge or the Board of Immigration Appeals granting Suspension of Deportation under Section 244(a)(3) of the INA as in effect prior to April 1, 1997 or cancellation of removal under Section 240A(b)(2) of the INA.</li> <li>➤ CIS Notice of Prima Facie Case (see note below).</li> </ul>

**Note: A pending application for one of the provisions above may be verified with a CIS Notice of a Prima Facie Case. This notice is valid until the CIS has adjudicated the alien's position. Battered aliens are eligible to full scope Medi-Cal while the petition is pending with CIS.**

b) Requirement #2:

**The applicant/beneficiary, his or her child, or in the case of an alien child, his or her parent, has been battered or subjected to extreme cruelty.** Acceptable verification of abuse or cruelty may include any one of the following, but is not limited to:

- Verification from CIS that the applicant/beneficiary has an application approved or pending pursuant to clause:
  - (ii), (iii), or (iv) of INA Section 204(a)(1)(A); or
  - (ii) or (iii) of INA Section 204(a)(1)(B).
- Police, government agency, or court records or files, documenting abuse/cruelty;
- Documentation from a domestic violence program, legal, clerical, medical, or other professional from whom the applicant/beneficiary has sought assistance in dealing with the abuse; or
- A statement from any other individual with knowledge of the circumstances (abuse/cruelty), that provide basis for the claim, or physical evidence of abuse, or any other evidence that supports the applicant's/beneficiary's statement.

c) Requirement #3:

**The battered alien must provide verification that there is a substantial connection between the battery and the need for benefits.** Acceptable verification includes a sworn statement from the battered alien that describes any one of the following circumstances:

- The alien or alien's child is receiving cash assistance based on battery or extreme cruelty; or
- Benefits are needed due to a loss of financial support resulting from the alien's and/or his or her child's separation from the abuser;
- Benefits are needed because the alien or his/her child requires medical attention or mental health counseling or has become disabled as a result of the battery or cruelty;
- Benefits are needed to provide medical care during an unwanted pregnancy resulting from the abuser's sexual assault or abuse of, or relationship with, the alien or his or her child, and/or to care for any resulting children;
- Medical coverage and/or health care services are needed to replace medical coverage or health care services the applicant or child had when living with the abuser; and



- If the facts presented by the alien are different from the situations described, but the applicant believes that there is a substantial connection between the battery and the need for benefits, a determination should be requested from the Agency Medi-Cal Program section. All evidence should be forwarded to the Medi-Cal Program section at mail stop 0557A with a written request for a battered alien determination.

d) Requirement #4:

**The applicant/beneficiary must no longer live in the same household with the batterer.** Acceptable verification of this can include any relevant credible evidence that supports the client's statement unless the county department has conflicting information. Relevant credible evidence can include, but is not limited to:

- Protective orders issued by the court;
- Rental receipts; or
- The client's written statement supported by a statement from any individual with knowledge of the circumstances.

2) Aliens claiming battered alien status without required documentation:

Aliens may claim to be a battered alien and meet the battered alien criteria, but may lack the documentation listed under Requirement #1. If these aliens voluntarily request full scope benefits as an alien Permanently Residing Under Color of Law (PRUCOL), then workers must follow the procedures in F of this section and evaluate them for PRUCOL status.

3) Battered aliens that request assistance in areas relating to their immigration status and domestic violence claim may be provided the following referrals:

- Refer aliens to the CIS forms request line at 1-800-870-3676 so that applicants who are eligible to self-petition, but have not yet filed, may request a CIS form I-360 and filing instructions.
- Refer aliens to the National Domestic Violence Hotline 1-800-799-7233 to receive assistance from a local domestic violence service provider and a referral to an immigration attorney.

4) See MPG Article 7, Section 1, Appendix B for Battered Alien Questions and Answers.

F. PRUCOL Aliens

The fourth category of aliens includes those aliens who are permanently residing in the United States under color of law (PRUCOL). These aliens are entitled to full-scope Medi-Cal benefits if otherwise eligible. Alien Medi-Cal applicants may claim any one of sixteen PRUCOL categories on Form MC 13. Acceptable CIS documentation of the sixteen categories of PRUCOL indicated on Form MC 13 are as follows:

- |   |   |                        |
|---|---|------------------------|
| <p>1) Form I-94 (Arrival-Departure Record) annotated: REFUGEE-CONDITIONAL ENTRY OR ADMITTED AS A REFUGEE PURSUANT TO SEC. 207 OF THE I&amp;N ACT or FORM I-571 (Refugee Travel Document).</p>   | <p>Lawfully admitted to the U.S. as a <u>conditional entrant</u> before April 1, 1980 in accordance with INA Section 203 (a)(7) or as a <u>refugee</u> in accordance with Section 207 of the INA after April 1, 1980.</p>   | <p>ACWDL<br/>89-59</p> |
| <p>2) Form I-94 (Arrival-Departure Record) with notation that the alien was paroled into the U.S. in accordance with INA Section 212(d)(5).</p>   | <p><u>Paroled</u> into the United States for an indefinite period. Cuban/Haitian Entrants whose status has not been adjusted in accordance with Section 202 of the INA are included in this category.</p>   |                        |
| <p>3) Form I-220B (Order of Supervision)</p>  | <p>Aliens found deportable who are not likely to actually be expelled because of their age, physical condition, humanitarian concerns or the availability of a country which would accept them. (INA Section 242, <u>Order of Supervision</u>.)</p>                             |                        |
| <p>4) Form I-94 (Arrival-Departure Record) or a letter from CIS showing this status.</p>  | <p>Aliens granted an <u>indefinite stay of deportation</u> due to humanitarian reasons.</p>   |                        |
| <p>5) Form I-94 (Arrival-Departure Record) or a letter from CIS showing this status.</p>  | <p>Aliens granted an <u>indefinite voluntary departure</u> instead of deportation.</p>  |                        |
| <p>6) Form I-94 (Arrival-Departure Record) or Form I-210 (Alien Voluntary Departure Notice) or a letter from CIS showing this status.</p>   | <p>Aliens on whose behalf an Form I-130 (Petition to Classify Status of Alien Relative for Issuance of Immigrant Visa) has been filed (with their families covered by the petition) who are entitled to voluntary departure. (<u>Immediate relative petition approved</u>).</p> |                        |
| <p>7) Form I-94 (Arrival-Departure Record) or Form I-181 (Memorandum of Creation of Record of Lawful Permanent Residence) or a passport stamped either: ADJUST-MENT APPLICATION or EMPLOY-MENT AUTHOR-IZED DURING STATUS AS ADJUSTMENT APPLICANT.</p> | <p>Aliens who have a "<u>properly filed</u>" application for <u>adjustment to lawful admission for permanent residence status</u> in accordance with INA Section 245.</p>   |                        |

8)	Form I-94 ( <u>Arrival-Departure Record</u> ) or a letter from CIS or an order from a CIS administrative law judge showing this status.	Aliens granted a <u>stay of deportation for a specified period</u> by court order, statute or regulation, or by individual determination of CIS in accordance with INA Section 106 or CIS Operations Instructions.	
9)	Form I-94 (Arrival-Departure Record) and a letter from CIS showing this status.	Aliens granted <u>asylum</u> in accordance with INA Section 208 or other pertinent section. (NOTE: If asylum has been applied for but not yet been granted, the alien is not PRUCOL).	
10)	Form I-94 (Arrival-Departure Record) annotated: ADMITTED AS A REFUGEE PURSUANT TO SECTION 207 OF THE I&N ACT OR CIS FORM I-571 (Refugee Travel Document).	Lawfully admitted to the U.S. as a refugee since April 1, 1980 in accordance with Section 207 of the INA after April 1, 1980.	State Clarification
11)	Form I-94 (Arrival-Departure Record) and/or Form I-210 (Alien Voluntary Departure Notice) bearing a departure date.	Aliens granted <u>voluntary departure</u> in accordance with INA Section 242(b).	
12)	Form I-210 (Alien Voluntary Departure Notice) or a letter from CIS showing this status.	Aliens granted <u>deferred action status</u> in accordance with CIS operating instructions.	
13)	Form G-711 (Individual Fee Register Receipt) and Form I-468 (Interview Appointment Letter).	Aliens who claim to have entered and continuously resided in the U.S. since before January 1, 1972. Claims to <u>Registry alien</u> status must be evidence by a fee receipt and an interview appointment letter from CIS, which show that an application has been submitted for adjustment of status from illegal alien to lawful admission for permanent residence in accordance with INA Section 249.	
14)	An order from a CIS administrative law judge showing this status.	Aliens granted a <u>suspension of deportation</u> in accordance with INA Section 244.	
15)	An order from a CIS <u>administrative law</u> judge showing this status.	Aliens whose <u>deportation</u> is being <u>withheld in accordance with INA Section 243(h)</u> .	

16) See MPG 7-1-4 below for PRUCOL procedures for aliens that claim the 16<sup>th</sup> category.

Aliens not in one of the above categories who can show that: (1) CIS knows he/she is in the U.S.; and (2) CIS does not intend to deport him/her, either because of the person's status category or individual circumstances.

## 2. CIS PRUCOL DETERMINATIONS

An alien applicant/beneficiary may request full-scope benefits and claim PRUCOL on the basis that CIS is aware of the alien's presence in the U.S. but does not intend to deport the alien because of his/her status category or individual circumstances. The alien may claim this status by checking the last PRUCOL category of Question 5 of Form MC 13. When the alien checks this box and does not claim to have been granted an extended voluntary departure by CIS, the worker will explain the CIS PRUCOL determination process to the alien applicant/beneficiary.

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### A. CIS Policy

CIS does not recognize PRUCOL as a legal alien status. Aliens receive no immigration benefits as a result of a CIS PRUCOL determination.

CIS will not deport aliens on the basis that they claim PRUCOL or apply for or receive Medi-Cal. These aliens may be deported for reasons unrelated to Medi-Cal, such as when an alien fraudulently supplies CIS false information or has an open warrant for his/her arrest.

PRUCOL can be requested for a deceased person.

Currently CIS is not responding to PRUCOL requests. However, workers are still required to submit PRUCOL requests to CIS using procedures below at application and redetermination.

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### B. Form MC 845

Alien applicants/beneficiaries who claim the last category of PRUCOL on Form MC 13 and choose to request a CIS PRUCOL determination are to be given a Form MC 845 by the worker.

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#### 1) Who Completes

A Form MC 845, G-845 Supplement-PRUCOL, must be completed by each alien for whom a PRUCOL determination is to be requested. When the alien applicant/beneficiary is incapable of acting on his/her own behalf, and no friend, relative or guardian is acting as the alien's representative, a nursing home administrator may appoint a representative.

The worker will give a Form MC 845 and a PRUCOL Notification Letter (Form 14-45A for applicants, 14-45B for beneficiaries) to each alien (or representative) for whom a PRUCOL determination is to be requested (see Appendices 7-1-D and 7-1-E). The worker will advise the applicant/beneficiary to complete and return the MC 845 within 30 days.

2) Documentation of Satisfactory Immigration Status (SIS)

A completed Form MC 845 is considered to be acceptable documentation of SIS pending the PRUCOL determination. However, to be considered acceptable documentation of SIS, all required portions of the form must be completed (See 4.B.4 below for completion requirements).

3) Presumptive Eligibility

Alien applicants/beneficiaries for whom a PRUCOL determination is to be requested are to be granted full-scope benefits presumptively when the presumptive eligibility conditions specified in 5. below are met. However, if an alien has been previously denied PRUCOL status by CIS, presumptive eligibility cannot be granted. Copies of the previous denial and the current PRUCOL request must be forwarded to the Medi-Cal Program at Mail Stop O557A for review.

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4) Form MC 845 Completion Requirements

CIS must have a completed Form MC 845 to respond to a PRUCOL request. All sections except for Part C and the Foster Care Summary must be completed.

The form includes a Medical Statement which must be completed by the attending physician for RD patients. For LTC patients, the Medical Statement may be completed by the attending physician, nursing home administrator, or the chief nurse of the nursing home.

When the MC 845 has been completed and returned, the worker will review the form to ensure that all necessary information has been provided.

a) Form MC 845 Returned Incomplete

When Form MC 845 is returned with any required sections incomplete, the worker will:

Return the incomplete Form MC 845 to the applicant/beneficiary with a note stating that full-scope benefits cannot be granted or will be reduced unless a completed Form MC 845 is received. Give the alien 10 days to return a completed form. Notate this action in the case narrative.

If a completed Form MC 845 is not returned within the 10-day period or is returned incomplete, the worker is to give the applicant/beneficiary a 10-day extension. Call or write the applicant/beneficiary to explain the 10-day extension.

After the 10-day extension period has ended and a completed MC 845 still hasn't been returned, the worker will reduce benefits from full scope to restricted if full-scope benefits had been granted presumptively.

b) Form MC 845 Returned Complete

When a completed Form MC 845 is received by the worker, the worker will follow the CIS PRUCOL referral procedures indicated in 4.C. below.

C. CIS PRUCOL Determination Procedures

CIS PRUCOL determination procedures are a variation of SAVE secondary procedures.

1) Worker Actions

To initiate a CIS PRUCOL determination request, the worker will:

- a) Complete Form G-845S, Document Verification Request, Check "Other" in Box #8 and enter "PRUCOL Request" in the available space;
- b) Retain for the case file copies of Forms G-845S, MC 845 and any documents submitted by the alien; and
- c) Submit the originals to CIS using standard SAVE secondary procedures.

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2) CIS Fails to Respond to PRUCOL Request

CIS currently is not responding to PRUCOL requests. Workers are still required to submit PRUCOL requests to CIS using the procedures above. Aliens claiming PRUCOL status are entitled to full scope benefits unless PRUCOL status has been previously denied. (See 4.B.3 above.)

State  
Clarification

D. PRUCOL Tracking Requirements

Workers are required to track aliens that are approved full scope benefits through PRUCOL. PRUCOL aliens will be coded according to the Alien Tracking Chart found in Appendix 7-1-C as one of the following:

- S – Other PRUCOL documented full scope alien (claims PRUCOL category 1-15); or
- T – Undocumented full scope PRUCOL alien (claims PRUCOL category 16).

### 3. PRESUMPTIVE ELIGIBILITY

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Persons who declare they are aliens on Form MC 13, request full-scope benefits, and claim satisfactory immigration status (SIS) have 30 days (or the time it takes to determine eligibility, whichever is longer) to provide documentation of their immigration status. The worker must advise the alien of the 30-day requirement at the intake interview and document the action in the case narrative.

#### A. Eligibility Determined within 30 Days

When an alien who applies for full-scope benefits claims SIS and meets all conditions of eligibility in 30 days or less, the worker will grant full-scope benefits whether or not the alien has provided documentation of SIS.

When an alien who is granted full-scope benefits pending receipt of SIS documentation does not provide documentation of SIS by the 30th day, benefits must be reduced from full-scope to restricted as soon as timely notice can be given. The intake worker must tic the case to alert the granted worker to reduce benefits if documentation of SIS is not received by the 30th day.

EXCEPTION: Aliens granted full-scope benefits who are claiming the last category on the MC13 and requesting a PRUCOL determination are not to have their benefits reduced from full-scope to restricted if a completed MC 845 form has been provided

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#### B. Eligibility Determined on or After 31st Day

When eligibility is determined on or after the 31st day following the alien's notification of the 30-day requirement, the worker will grant either restricted or full-scope benefits depending on whether or not the alien provided documentation of SIS. If documentation of SIS was provided, the worker will grant full-scope benefits and initiate SAVE procedures. If documentation of SIS was not provided, the worker will grant restricted benefits. Full-scope benefits will be issued retroactively if the alien later provides documentation of SIS which was valid during months in which restricted benefits were previously issued.

#### C. Presumptive Eligibility for Increased Benefits

A restricted benefits beneficiary may be granted full-scope benefits presumptively for 30 days when he/she requests full-scope benefits and claims SIS on Form MC 13. If the beneficiary does not provide documentation of SIS when the request for full-scope benefits is made, the worker will inform the beneficiary that full-scope benefits will be granted for 30 days. The worker will further inform the beneficiary that after 30 days, benefits will be reduced from full scope to restricted if the beneficiary has not provided documentation of SIS by that time. The worker must document the informing action in the case narrative.

D. Persons Previously Granted Presumptive Eligibility

The granting of full-scope benefits to an alien who does not provide documentation of SIS is a one-time-only action. Subsequent requests for full-scope benefits may not be approved by the worker unless documentation of SIS is provided.

EXAMPLE: An alien applicant who does not provide documentation of SIS is granted full-scope benefits because eligibility is determined within 30 days. The case is later discontinued. If the alien reapplies, full-scope benefits may not be granted unless the alien provides documentation of SIS.

4. SYSTEMATIC ALIEN VERIFICATION FOR ENTITLEMENTS (SAVE)

A. General

ACWDL  
88-68

The Immigration Reform and Control Act of 1986 (IRCA'86) requires the use of an automated system to verify the documentation of satisfactory immigration status (SIS) provided by an alien applicant/beneficiary who requests full-scope benefits. SIS means an immigration status that entitles an otherwise eligible alien to full-scope Medi-Cal benefits. SAVE enables the CIS to verify the alien's documentation of SIS through an automated (primary) and manual (secondary) system.

B. Applicant Notification of CIS Verification Requirement

All alien Medi-Cal applicants who request full-scope Medi-Cal benefits are informed on Form MC 13 that their immigration status must be verified by CIS.

C. When To Use SAVE

SAVE must be used to verify the documentation of SIS provided by an alien who requests full-scope benefits. SAVE is not to be used when SIS is claimed, but no documentation of SIS is provided, even when the A-number is known by the alien. SAVE is also not to be used when the alien claims SIS, but provides documentation that does not document SIS (e.g., Form I-94 indicates the alien was admitted to the U.S. for temporary residence).

SAVE must be used to verify the immigration status of an alien who requests full-scope benefits at the following times:

- 1) At application or reapplication;
- 2) At redetermination;
- 3) When an alien beneficiary who is receiving restricted benefits requests full-scope benefits and provides documentation of SIS; and



- 4) When documentation of SIS is provided by an alien beneficiary who was granted full-scope benefits presumptively (i.e., the alien was given 30 days to provide documentation of SIS and eligibility was determined within those 30 days).

The granting of full-scope benefits must not be delayed pending verification of the alien's immigration status through SAVE. If the SAVE response indicates the alien's documentation is not valid, the worker will reduce benefits from full-scope to restricted with timely notice. An overpayment exists for the months that the alien received full scope Medi-Cal.

ACWDL  
90-67

SAVE verification is required for individuals who are requesting restricted benefits if they voluntarily present an I-688, I-688A, I-551, or I-689.

ACWDL  
89-14

#### D. SAVE Primary Verification System

Under the SAVE Primary System, the Case Data System (CDS) will send an alien's A-number to the CIS data base from the entry on AIS or the CDS document (See IM-EDP Manual, Section 5 for CDS document entry procedures). The system will initiate a SAVE abstract which will be returned to the worker. The SAVE abstract should be compared with information provided by the alien. If there is any doubt regarding the true identity or immigration status of the alien, a secondary verification is to be obtained (see 6. E below).

The SAVE abstract should indicate one of the five following responses from CIS:

- 1) Legal Permanent Resident - Employment authorized.
- 2) Cuban/Haitian Entrant - Temporary employment.
- 3) Section 245A Temporary Resident - Temporary employment authorized.
- 4) Section 210 Temporary Resident - Temporary employment authorized.
- 5) Institute Secondary Verification.

The first four SAVE responses indicate SIS. The third and fourth responses identify the alien as an IRCA alien. IRCA aliens may receive full-scope benefits only if they are under 18 years of age or ABD.

#### E. SAVE Secondary Verification System

- 1) Policy

The SAVE Secondary System is a manual process completed by CIS. It is required when the SAVE primary response is "Institute Secondary Verification," when there are doubts about the identity or immigration status of the alien, or when there are discrepancies, such as:

- a) The document provided by the alien appears counterfeit, altered, or unfamiliar;
- b) The document does not have an A-number, but it notes an immigration status;
- c) The A-number is in the 60,000,000 or 70,000,000 series which, according to CIS, has not been issued;
- d) The A-number is in the 80,000,000 series, which is used for illegal border crossings;
- e) The document is a CIS receipt;
- f) The alien presents a foreign passport containing an I-181 or I-94 form, which is over one year old with the statement "Processed for I-551, Temporary Evidence of Lawful Permanent Residence."
- g) The alien presents an I-688A or I-689 with an A-number in the 90,000,000 series. These documents and numbers pertain to amnesty applicants and require special handling.

EXCEPTION: A federal waiver allows the county welfare departments to delay secondary verification of a newly-arrived refugee applicant's immigration status for 12 months from the date of arrival, or until the first redetermination, whichever occurs first, even though the SAVE primary response indicates "Institute Secondary verification." It is unlikely that the CIS will have immigration status information of these refugees on the SAVE system database at the time of their application for benefits. In this situation, the ET needs to tic the case and resubmit the alien registration number ("A" number) for primary verification at the annual redetermination, or not more than 12 months after the date of arrival. A secondary verification will be initiated at this time, if necessary.

ACWDL  
95-75

This waiver does cover applicants with questionable or possible fraudulent documentation; therefore, cases with questionable or possible fraudulent documentation will continue to be processed using both primary and secondary verification systems.

## 2) Procedures

### a) Worker Actions

To use the SAVE Secondary System, the worker will complete form G-845S. The consent of disclosure statement on the reverse side of form G-845S need not be completed. The worker will photocopy the documentation (front

and back) provided by the alien. Form G-845S and photocopies of alien documentation must then be forwarded to CIS. |

b) CIS Actions

CIS will check the appropriate box on form G-845 SND after reviewing the submitted documents. Responses 1 through 11 indicates lawful U.S. residence. The 12th response shows that the document is invalid and that SIS requirements are not met. (In this case, benefits must be reduced from full-scope to restricted for aliens receiving full-scope benefits). Responses 13 through 16 require additional action to obtain a CIS determination of immigration status. Aliens are permanently residing in the U.S. under color of law (PRUCOL) if box 18 is checked. Response 17 indicates they are not PRUCOL.

5. POSTPARTUM BENEFITS

Alien Medi-Cal beneficiaries receiving either restricted or full-scope benefits may be entitled to 60-day no-share-of-cost postpartum benefits following childbirth or when pregnancy terminates for any reason. Refer to Article 5, Section 6 for postpartum eligibility criteria and card issuance procedures.

## 6. AID CODES

### A. Legal Permanent Resident Aliens

Aliens who fall into the "Legal Permanent Resident," "Battered Alien," and "PRUCOL" categories (see 3.C., E. and F. above) are to be assigned regular Medi-Cal aid codes as listed in IM-EDP Manual, Section 5.

### B. IRCA/OBRA Aliens

IRCA and OBRA aliens are to be assigned aid codes specifically designated for IRCA/OBRA aliens. Refer to Appendix A for a listing of IRCA/OBRA aid codes.

## 7. REFUGEE/ALIEN INDICATOR CODING

- A. Aliens receiving benefits under any Medi-Cal program must be tracked. The level of benefits that an alien is entitled to receive is not changed in any way by the tracking codes.
- B. Refugees are to be identified and coded to the fullest extent possible. Any refugee that cannot be identified as coming from a specific country, may be coded as "Other Refugee."
- C. When a refugee provides proper verification that he/she is now a U. S. Citizen, change the refugee indicator code to "A" – "proven U. S. Citizen."
- D. Refugee/Alien Indicator Coding is located in Appendix C.

ACWDLs  
97-42  
97-51  
98-55  
00-09  
00-28  
04-17

# APPENDIX A

## OBRA/IRCA ALIEN ENTITLEMENTS

FEDERAL LAW	ALIEN CLASS	DOCUMENTATION CODE	AID	BENEFITS AVAILABLE UNDER MEDI-CAL
OBRA (PL 99-509)	Undocumented	None or inadequate	58	Emergency care and pregnancy-related services
OBRA	Undocumented	PRUCOL Denial	55	LTC coverage only
OBRA	Persons filing for temporary resident status under IRCA (No legal resident status)	I-688A, I-689 (Red-work Authorization)	58	Emergency care and pregnancy-related services
OBRA	Visitors, students, etc.	Temporary Visas	58	Emergency care and pregnancy-related services
(Refer to 7-2-11 for residency requirements.)				
IRCA (PL 99-603)	Amnesty (245A) not ABD or child under 18. Temporary or permanent resident status, limited services for 5 years	I-688 (Green-Temporary Resident Status)	52	Emergency care and pregnancy related services
		I-551 (Permanent) Class-W16, W26, W36		
IRCA	SAWs (210), RAWs (210A), not ABD or child under 18. Temporary or permanent resident status, limited services for 5 years	I-688 (Temporary)	57	Emergency care and pregnancy related services
		I-551 (Permanent) Class-S16, S26, R16		
IRCA	Amnesty (245A) who are ABD or child under 18. Temporary or permanent resident status	I-688 (Temporary)	51	Full-scope
		I-551 (Permanent) Class-W16, W26, W36		
RCA	SAWs (210), RAWs (210A) who are ABD or child under 18. Temporary or permanent resident status	I-688 (Temporary)	56	Full-scope
		I-551 (Permanent) Class-S16, S26, R16		
IRCA	Cuban-Haitian (Status Pending (212)	I-94 (Arrival-Departure Record)	**	Full-scope
IRCA	Pre-1972 Registry (249) or Cuban-Haitian with permanent resident status.	I-551 (Permanent)	**	Full-scope

\*\*Will not have special alien aid code. Use current aid codes.

## APPENDIX B

### BATTERED ALIENS QUESTIONS AND ANSWERS

1. **Q. Can an undocumented alien, who can verify she has been battered, be considered a Qualified alien?**

- A.** Verification that an alien has been battered is not the only condition that must be met in order for an alien to meet the federal definition of a Qualified alien due to battery or extreme cruelty.

An undocumented alien who has been battered must have a pending or approved self-petition with CIS, and meet the other battered alien conditions/criteria, to be considered a Qualified alien.

2. **Q. Can SAVE be used to verify that an alien is battered?**

- A.** SAVE will only verify an alien's CIS status. If an eligibility worker is verifying that an alien has a petition pending with CIS, or is verifying the INS Notice of a Prima Facie Case, it will be necessary to utilize the secondary SAVE procedures.

3. **Q. How do we identify and track battered aliens? According to ACWDL 97-42, only Lawful Permanent Residents (LPRs), Conditional Entrants, and Other Aliens (refugee/alien indicator codes K, C, and S) are tracked as battered?**

- A.** In October 1997, when ACWDL 97-42 was issued, it was thought that only aliens, who had relative sponsored petitions for LPR status already on file with CIS, could meet the battered alien criteria. Since that time, battered alien guidelines were issued by the Department of Justice. Those guidelines provided additional information and clarified that even aliens with no documentation or temporary documentation could, in certain circumstances, meet the conditions necessary to be considered a Qualified alien due to battery or extreme cruelty.

The INA allows a citizen or LPR of the U.S. to seek LPR status for some of their alien relatives (including undocumented spouses and children). Historically, the initiation of the visa petition was solely at the discretion of the U.S. citizen or LPR relative. For that reason, the citizen or LPR relative effectively controlled the ability of an alien spouse or child to regularize his or her immigration status. Congress recognized the potential for misuse of this discretion within households where domestic violence occurs, and legislation was passed to enable these battered spouses and children to self-petition for LPR status, thus limiting the ability of an abusive citizen or LPR to use the immigration laws to perpetuate further violence against a spouse or child residing in the U.S.

Based on this information, undocumented aliens and aliens residing in the U.S. with visas, who are married to or have children with U.S. citizens or LPRs, can also self-petition for LPR status and be considered Qualified aliens, if all of the battered alien conditions are met. When this is the case, determine if the alien has been approved for LPR status. If so, the alien can be identified and tracked with a refugee/indicator of K and alien eligibility code 9. Review continuous presence criteria when determining the date of entry. If the alien has not yet been approved for LPR status, but has verified that they have an INS Notice of Prima Facie Case, identify and track the alien with the refugee/indicator code that corresponds with their alien status (U, V, etc.), and use an alien indicator of 9 with the refugee/indicator code. (See

Appendix 7-1-D, Qualified/Not Qualified/Refugee Alien Tracking chart.) Review continuous presence criteria when determining date of entry.

Aliens who are not eligible to receive full-scope Medi-Cal benefits because of their undocumented or temporary alien status, but who meet the battered alien criteria, should be given the opportunity to apply for full scope Medi-Cal benefits as an alien Permanently Residing in the United States Under Color of Law (PRUCOL).

4. **Q. If an alien who has been battered or subjected to extreme cruelty needs help with filing or obtaining INS paperwork, or needs other types of help, is there someone the EW can refer them to?**
  - A.** Many of the applicants seeking assistance pursuant to this provision will need assistance on various matters relating to both their immigration status and their domestic violence-related concerns. County eligibility staff should direct applicants to the CIS forms request line (1-800-870-3676) so that applicants who are eligible to self-petition, but have yet to do so, may request a CIS Form I-360 and filing instructions. Eligibility staff can also refer them to the National Domestic Violence Hotline (1-800-799-7233) so that applicants may obtain assistance from a local domestic violence service provider and referrals to immigration attorneys. This hotline is answered by a “live” person and assistance is available in all languages.

**QUALIFIED / NOT QUALIFIED / REFUGEE ALIEN TRACKING**

ALIEN CLASSIFICATION	REVISED CODES	
	Refugee/Alien Indicator	Alien Eligibility Code
<b>Battered / Subjected to extreme cruelty</b> <i>(that meet the conditions necessary to be considered a Qualified alien)</i>	K,C,S,U,V,W,Y	9*
<b>Active Duty/Veteran or spouse/dependent child</b>	K	active duty/veteran 4 spouse 5 child 6
<b>Other Lawful Permanent Resident (LPR)</b> <b>not</b> active duty/veteran or spouse/child	K	
<b>Deportation Withheld</b> <i>admitted under INA section 243(h) or INA section 241(b)(3)</i>	D	
<b>Conditional Entrant</b> <i>admitted under INA section 230(a)(7)</i>	C	
<b>Kurdish/Iraqi Asylee</b> <i>admitted under INA section 208</i> <b>date of entry is date asylum was granted</b>	Z	
<b>Other Asylee</b> <i>admitted under INA section 208 and not Kurdish/Iraqi</i> <b>date of entry is date asylee entered the U.S.</b>	L	
<b>Indochinese Refugee</b> <i>admitted under INA section 207 and not Amerasian Refugee</i>	X	
<b>Amerasian Refugee</b> <i>admitted under INA section 207 and not Indochinese Refugee</i>	E	
<b>Other Refugee</b> <i>admitted under INA section 207 and not Indochinese Refugee or Amerasian Refugee</i>	R	
<b>Cuban/Haitian Entrant</b>	8	
<b>Citizen Child of Refugee</b>	5	
<b>Parolee</b> <i>admitted under INA section 212(d)(5) w/period of parole <b>over</b> 1 year</i>	W	
<b>Parolee</b> <i>admitted under INA section 212(d)(5) period of parole <b>less than</b> one year</i>	Y	
<b>Proven U. S. Citizen</b>	A	
<b>Other Documented PRUCOL Full Scope Aliens (categories 1-15) ***</b>	S	
<b>Undocumented PRUCOL Full Scope Aliens (category 16)</b>	T	
<b>Visitor / Student / VISA and other aliens with temporary documentation</b> <b>(Emergency and pregnancy-related services only)</b>	V	
<b>Undocumented aliens</b> <b>(Emergency and pregnancy-related services only)</b>	U	

\* An entry of 9 should not be reported if the alien can be coded with a 4, 5, 6 or 8 in the alien eligibility code field.

\*\*\* Other aliens, defined for identification and tracking purposes only, include aliens verified by INS through G-845 process as:

Voluntary Departure (INA section 242(b),  
Order of Supervision (INA section 242),  
Registry Alien (INA section 249),

Indefinite Stay of Deportation,  
Suspension of Deportation (INA section 244),

Deferred Action Status,  
Indefinite Voluntary Departure,  
Extended Voluntary Departure,

Stay of Deportation (INA 106),  
Immediate Relative Petition,

Application for Adjustment Status,  
Lawful Temporary resident,

Rev 2/15/00



## Applicant PRUCOL Notification Letter

Case Name\_\_\_\_\_

Case Number\_\_\_\_\_

Dear Medi-Cal Applicant:

READ THIS BEFORE you complete the attached Form MC 845, the G-845 Supplement-PRUCOL.

The attached Form MC 845 must be completed and returned to your worker within 30 days or your full Medi-Cal benefits may be reduced to restricted. Failure to complete and return this form is considered failure to cooperate. Therefore, if you do not complete the MC 845 as requested, your benefits will be reduced to restricted emergency and pregnancy-related services. If problems occur which may delay the return of this form, or if you have questions, call your worker for assistance.

This form must be completed as you are an alien who by federal law should receive only restricted (emergency and pregnancy-related) Medi-Cal benefits because you have no documentation of your immigration status. However, because you are in a long term care (LTC) status and/or receiving renal dialysis services, and claim to have satisfactory immigration status, you may request a “permanently residing under color of law” (PRUCOL) response from the Immigration & Naturalization Service (INS). A response which indicates you have PRUCOL will allow you to continue to receive full Medi-Cal benefits. This PRUCOL response provides absolutely **no** immigration benefit; it only allows you to continue to receive full Medi-Cal benefits.

If it is determined that PRUCOL can be applied to you, full Medi-Cal benefits will continue so long as you remain eligible for the Medi-Cal program. This PRUCOL entitlement must be reevaluated annually.

To determine whether PRUCOL applies to you, you (or the person helping you) must complete the attached Form MC 845. Provide as much information as you can. If you cannot answer a particular question, explain why. Be sure that your physician, nursing home administrator, or chief nurse completes the medical summary attached to the form. If the medical summary is not completed, we cannot submit the form to the INS for a PRUCOL response.

If PRUCOL applies to you, you will receive full Medi-Cal benefits so long as you remain otherwise eligible for the Medi-Cal program.

If PRUCOL cannot be applied to you and you are in LTC status, your benefits will be reduced to LTC services only and restricted emergency and pregnancy-related services. If you are a renal dialysis patient, your benefits will be reduced to restricted emergency and pregnancy-related services.

There are some medical services provided under full Medi-Cal benefits which you will not receive with these reduced benefits. If you receive notice that your benefits are to be reduced, you have the right within a certain period of time, to request a State Hearing to appeal the decision. Instructions on how to appeal would appear on the back of the notice informing you of the reduced benefits.

Again, if you have questions or need more time to complete the MC 845, call your worker. REMEMBER, FULL MEDI-CAL BENEFITS MAY BE REDUCED TO RESTRICTED IF YOU FAIL TO RETURN A COMPLETED MC 845 TO YOUR WORKER BY THE DATE WRITTEN ABOVE.

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Eligibility Worker

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Phone Number

NOTE: The INS may not detain or deport you or any of your relatives based on the information you provide on form MC 845. In addition, this information is kept confidential. However, if it is determined that there is an open felony criminal warrant for your arrest, law enforcement agencies may be provided information regarding your whereabouts. Also, if you knowingly provide fraudulent information, you are open to criminal investigation and the loss of all Medi-Cal benefits.

Under federal law, aliens may receive full Medi-Cal benefits only if they are one of the following: lawful permanent residents (including persons granted lawful permanent residency through the amnesty program who have passed their five-year disqualification period); conditional resident aliens; aliens permanently residing in the U.S. under color of law (PRUCOL); aliens who are within the first five years of being granted amnesty, and also aged (65 or older), blind disabled, or children under 18 years of age.

The following aliens may receive only restricted (emergency and pregnancy-related) benefits: undocumented aliens; aliens who within the first five years of being granted amnesty are between the ages of 18 and 64, not blind or disabled; nonimmigrant with unexpired visas (students, visitors, etc.).

## Beneficiary PRUCOL Notification Letter

Case Name\_\_\_\_\_

Case Number\_\_\_\_\_

Dear Medi-Cal Beneficiary or Authorized Representative:

READ THIS BEFORE you complete the attached Form MC 845, the G-845 Supplement-PRUCOL.

The attached Form MC 845 must be completed and returned to your worker within 30 days or your full Medi-Cal benefits may be reduced to restricted. Failure to complete and return this form is considered failure to cooperate. Therefore, your benefits will be reduced to restricted emergency and pregnancy-related services only if you do not complete the MC 845. If problems occur which may delay the return of this form, or if you have questions, call your worker for assistance.

You must complete this form as you are an alien who by federal law should receive only restricted (emergency and pregnancy-related) Medi-Cal benefits. However, you are currently receiving full Medi-Cal benefits to cover long term care (LTC) and/or renal dialysis services. So that you may continue to receive full Medi-Cal benefits, the Immigration and Naturalization Service (INS) must provide us a “permanently residing under color of law” (PRUCOL) response. This PRUCOL response provides absolutely no immigration benefit; it only allows you to continue to receive full Medi-Cal benefits.

If it is determined that PRUCOL can be applied to you, full Medi-Cal benefits will continue so long as you remain eligible for the Medi-Cal program. This PRUCOL entitlement must be reevaluated annually.

To determine whether PRUCOL applies to you, you (or the person helping you) must complete the attached Form MC 845. Provide as much information as you can. If you cannot answer a particular question, explain why. Be sure that your physician, nursing home administrator or chief nurse completes the medical summary attached to the Form. If the medical summary is not completed, we cannot submit the form to the INS for a PRUCOL response.

If PRUCOL cannot be applied to you and you are in LTC status, your Medi-Cal benefits will be reduced to LTC services only and restricted emergency and pregnancy-related services. If you are a renal dialysis patient, your benefits will be reduced to restricted emergency and pregnancy-related services.

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There are some medical services provided under full Medi-Cal benefits which you will not receive when your benefits are reduced. If you receive notice that your benefits are to be reduced, you have the right within a certain period of time, to request a State Hearing to appeal the decision. Instructions on how to appeal would appear on the back of the notice informing you of the reduced benefits.

Again, if you have questions or need more time to complete the MC 845, call your worker. REMEMBER, FAILURE TO RETURN A COMPLETED MC 845 TO YOUR WORKER BY THE DATE WRITTEN ABOVE COULD RESULT IN YOUR FULL MEDI-CAL BENEFITS BEING REDUCED TO RESTRICTED BENEFITS.

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Eligibility Worker

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Phone Number

- Note 1: Under federal and state law, aliens may receive full Medi-Cal benefits only if they are one of the following: lawful permanent residents; conditional resident aliens; aliens permanently residing in the U.S. under the color of law (PRUCOL); aliens who have been granted amnesty who, within the first five years of being granted amnesty, are between the ages of 18 and 64, not blind or disabled; nonimmigrants with expired visas (students, visitors, etc.).
- Note 2: The INS is prohibited by law from using the information on the MC 845 against you or any of your relatives for administrative purposes. This means the INS may not detain or deport you or any of your relatives based on the information you provide. In addition, this information is kept confidential. However, if it is determined that there is an open felony criminal warrant for your arrest, law enforcement agencies may be provided information regarding your whereabouts. Also, if you knowingly provide fraudulent information, you are open to criminal investigation and the loss of all Medi-Cal benefits.